

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE

49-04

9/22/04

FSIS FORM 10,240-1, PRODUCTION INFORMATION ON POST-LETHALITY EXPOSED READY-TO-EAT (RTE) PRODUCTS

I. PURPOSE

This notice announces the availability of Food Safety and Inspection Service (FSIS) Form 10,240-1, *Production Information on Post-Lethality Exposed Ready-to-Eat Products*. Establishments that produce products that are regulated under 9 CFR part 430 are required to complete the form in accordance with 9 CFR 430.4(d).

II. BACKGROUND

The regulations at 9 CFR 430.4(d) state that "...an establishment that produces post-lethality exposed RTE product shall provide FSIS ... with estimates of annual production volume and related information for the types of meat and poultry products processed..." under 9 CFR part 430.

To facilitate establishments' compliance with this requirement, and to ensure that the information is collected in an efficient and uniform manner, FSIS has made available FSIS Form 10,240-1. The form is available on the FSIS web site at www.fsis.usda.gov/Forms/index.asp and in the FAIM forms library.

Establishments are to submit the form to the:

Data Analysis and Statistical Support (DASS) Staff, OPPED, FSIS, USDA,
Room 202, Annex Building,
300 12th Street S.W., Washington DC 20250.

The DASS staff's telephone number is (202) 720-3219 and its FAX number is (202) 690-0824. Establishments also may obtain the form from the DASS staff.

DISTRIBUTION: Inspection Offices;
T/A Inspectors; Plant Mgt; TRA;
ABB; TSC; Import Offices

NOTICE EXPIRES: 10/01/05

OPI: OPPED

III. INSPECTION PROGRAM PERSONNEL'S RESPONSIBILITIES AT AN ESTABLISHMENT PRODUCING PRODUCT APPLICABLE TO 9 CFR PART 430.

A. At the first weekly meeting held after receipt of this FSIS notice, inspection program personnel are to inform plant management:

1. about the availability of the form,
2. that the establishment is to complete and submit the form to meet the regulatory requirement in 9 CFR 430.4(d), and
3. that the establishment's failure to complete the form or to submit it to FSIS within 30 days from the date of the meeting may cause the Agency to seek appropriate enforcement actions or sanctions against the establishment or responsible officials.

B. In a memorandum of meeting, inspection program personnel are to document who was present at the meeting, the date and time of the meeting, what was discussed, and any documents that were shared with management. Inspection program personnel are to maintain a copy of the memorandum in the official government file and provide a copy to the plant management.

C. After 30 days from the meeting at which inspection program personnel notified the establishment about completing and submitting the form, inspection program personnel are to ask the establishment management whether it has completed FSIS Form 10,240-1 and submitted it to FSIS.

D. If an establishment has not completed the form, and does not indicate that it plans to do so, inspection program personnel are to notify the District Office through supervisory channels. The District Office will take the necessary follow-up actions, including referring allegations to the Office of Program, Evaluation, Enforcement, and Review (OPEER) for investigation or case disposition.

Refer questions through supervisory channels.

Philip S. Derfler /s/

Assistant Administrator
Office of Policy, Program, and Employee Development